

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Cedric Wise, #312547

Plaintiff,

v.

John Ozzmit,

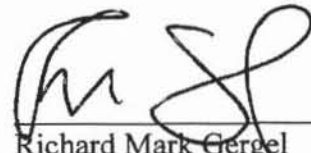
Defendant.

Case No. 6:10-978-RMG-KFM

ORDER

This matter is before the Court upon the plaintiff's request to dismiss this action. (Dkt. No. 33). The defendant responded stating that he had no objection to the voluntary dismissal of this action.(Dkt. No. 34). Pursuant to Federal Rule of Civil Procedure 41(a)(2), an action may be dismissed at the plaintiff's request only by court order. Accordingly, having reviewed the filings of the parties, this Court **GRANTS** the plaintiff's motion to dismiss **without prejudice**. In light of this Order, Docket entry 28 is rendered moot.

AND IT IS SO ORDERED.


Richard Mark Gergel
United States District Judge

February 4, 2011
Charleston, South Carolina